

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

UNITED STATES OF AMERICA, Plaintiff, vs. TYLER JAMES FLEMING, Defendant.	CR 20-03-BLG-SPW ORDER
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Pending before the Court is the Motion of the United States of America to Dismiss with Prejudice Count III of the Indictment (Doc. 39). For good cause shown,

IT IS HEREBY ORDERED that Count III of the indictment is **DISMISSED with prejudice.**

IT IS FURTHER ORDERED that the trial presently set for March 22, 2021 at 9:00 a.m. is **VACATED.**

The Clerk of Court is directed to notify the parties of the making of this Order.

DATED this 12th day of March, 2021.

A handwritten signature in black ink, reading "Susan P. Watters". The signature is fluid and cursive, with the first name "Susan" being the most prominent part.

SUSAN P. WATTERS

United States District Judge